

# THE TOWN OF CHEVERLY, MARYLAND



*invites your interest in the position of*  
**TOWN ATTORNEY**



## How to Apply

Proposals should be submitted on or before 4:00 p.m., June 8, 2020 via mail to Dylan Galloway, Town Administrator, Town of Cheverly, 6401 Forest Road, Cheverly, MD 20785. The envelope should be sealed and clearly marked, "Town Attorney RFP Response." Respondents must submit an original proposal and seven (7) copies.



## Questions

Please direct questions to the Town Administrator, Dylan Galloway, at [dgalloway@cheverly-md.gov](mailto:dgalloway@cheverly-md.gov) or 301-773-8360.

## The Position

The Town of Cheverly, Maryland hereby solicits proposals from individual attorneys and/or law firms to represent the Town as the Town Attorney. Attorneys that would represent the Town be in good standing and licensed to practice law before all courts and administrative agencies of the State of Maryland and a member of the Maryland Municipal Attorneys Association. The respondent selected by the Town would serve as legal counsel to the Town and report to the Mayor and Town Council.

The Town of Cheverly's selection will be based on its evaluation of the respondents' qualifications and experience, client references, the areas of legal services that the respondents are able to provide, an oral presentation (if requested) and overall

fee structure. The selection of an attorney of and factors contained in this Request for Proposals.

The Town will not be responsible for any expenses incurred by a respondent in preparing, submitting, or presenting a proposal. All proposals shall provide a straightforward, concise delineation of the attorney's or firms capabilities to satisfy the requirements of the request.

## Introduction

The Town of Cheverly has approximately 42 employees. Each department has specific duties to meet the needs of the community. The Town of Cheverly provides a variety of services including streets, police, parks, and public works. More information on the City can be found at <https://www.cheverly-md.gov>.

The Town Attorney is appointed by the Mayor and Council. The Town Attorney shall be admitted the Maryland Bar and authorized to practice law by the Maryland Court of Appeals. The Town Attorney shall be the legal adviser to the Town and shall perform such duties as the Mayor and Council may require. The Mayor and Council shall determine the compensation of the Town Attorney. The Mayor and Council may employ any additional legal consultants that it deems necessary.

## **THE PROPOSAL**

### **A. Scope of Legal Services Required per RFP**

The areas of legal work to be provided by the Town Attorney may include the items listed below. While this list is representative of the areas of work required, it is not exhaustive, and, by submitting a proposal, respondents acknowledge and agree that if selected, they will perform work in other areas as may be requested by the Town and acknowledge and agree that some of such work may be assigned to other attorneys.

#### **1. Advise the Mayor and Town Council, Town Administrator and Department Heads:**

Advise the Mayor and Town Council and Town Administrator on legal questions arising in the conduct of Town business.

#### **2. Prepare Legislation:**

Prepare and/or revise resolutions and ordinances when requested by the Mayor and Town Council or Town Administrator.

#### **3. Give Opinions:**

Give opinions on any municipal legal matter or question submitted to them by the Mayor and Town Council or Town Administrator.



#### **4. Attend Council Meetings:**

As requested, attend Mayor and Town Council meetings or other related meetings. Mayor and Town Council Legislative Meetings are held the second (2nd) Thursday of each month. Meetings begin at 8:00 p.m. Work Session Meetings are held on the fourth (4th) Thursday of each month. Meetings begin at 7:30 p.m.

#### **5. Application Review:**

When applicable, provide review, oversight and legal advice concerning permit and other applications to the Town.

#### **6. Prepare Legal Instruments:**

Prepare for execution or review contracts, deeds, and other instruments to which the Town is party when so requested by the Mayor and Town Council or Town Administrator.

#### **7. Prosecute Claims and Defend the Town and its Officials and Employees:**

Under the direction of the Mayor and Town Council, prosecute legal claims on behalf of the Town and defend the Town and its officials and employees in any action or claim against them in their official capacity. In those claims where the Town's insurance company has appointed legal counsel, the Town attorney shall provide only those services requested by the Mayor and Town Council.



## **8. Make Reports:**

Immediately report to the Town Administrator (or designee) and Mayor and Town Council the filing of any litigation against the Town, update the Mayor, Town Council and Town Administrator on pending litigation on a regular basis, and inform the Mayor, Town Council and Town Administrator of final outcome of any such claims. Provide the Mayor, Town Council and Town Administrator with a monthly report of all work performed on their behalf.

## **9. Real Estate:**

Prepare or review deeds, easements and contracts pertaining to real estate and/or property being acquired or sold by the Town.

## **10. Keep Records:**

Keep records as required for attorneys generally and in compliance with rules for retention of local government records.

## **11. Public Information Act:**

Handle or provide advice regarding Public Information Act requests.

## **12. Personnel Matters:**

Advise the Mayor, Town Council, Town Administrator and Department Heads on personnel issues.

The Town reserves the right, at its discretion, to appoint another attorney and/or law firm to represent the Town from time to time in any matters where the Mayor and Town Council deems such action to be in the best interest of the Town.

## **B. Qualifications and Experience of Legal Counsel:**

Each applicant should have at least five (5) or more years of experience as a Municipal attorney, preferably experience with small cities and towns in Maryland. The proposal must include the names of all attorneys within the firm who will be providing legal services to the Town.

The proposal should demonstrate the qualifications, competence, and capacity of the attorneys to represent the Town in each of the municipal legal services areas listed above.

## **C. Compensation:**

Each applicant must include its hourly rates for legal services. Please include the rate for each attorney listed in response to section B. Each applicant must state the compensation that will be required for the services of the applicant and must specify the minimum time increments for billing. Itemized bills including the subject matter, date, time, description of service and individual requesting the service will be

required to be submitted before each payment will be made by the Town of Cheverly. Such bills shall be submitted monthly.

Billing for services shall be explained in



detail including all support services and costs such as: paralegal, clerical, supplies, mileage, electronic research, and other expenses.

Applicants also shall list any services that will be provided free of charge such as attendance at annual, special Town meetings and/or any non-charges, in-house expenses. Each applicant shall provide an explanation of how the Town will be billed for consultations between two attorney who are both members of your legal team (if applicable).

The Town also requests information about how applicants bill for informational correspondence (i.e. courtesy copies and emails, other billing practices, etc.) The applicant shall state whether the mileage associated with traveling on Town business will be billed to the client.

#### **D. Client References:**

Each applicant must provide clients and references with email addresses and phone numbers who may be contacted by the Town in connection with the proposal.

#### **E. Insurance:**

The bidder must obtain at its own cost and expense, and keep in force and effect during the term of the contract, including all extensions and renewals, the insurance specified below, with an insurance company licensed or qualified to do business in the state of Maryland. A certificate of insurance must be submitted to the Town prior to the commencement of any work under the contract and prior to any contract modification extending the term of the contract, as evidence of compliance with this provision. The Town of Cheverly must be named as an additional insured on all liability policies. A minimum of thirty (30) days written notice to the Town of cancellation or material change in any of the policies is required. In no event may the insurance coverage be less than that shown below, unless the requirements



of this section are waived, in whole or in part, in writing by the Town Administrator.

<u>Coverage</u>	<u>Amount or Limits</u>
Workers Compensation, Bodily injury by	
Accident (each)	\$100,000
Disease (policy limits)	\$500,000
Disease (each employee)	\$100,000
Commercial General Liability	\$500,000

(Minimum combined single limit for bodily injury and property damage per occurrence, including contractual liability, premises and operations, and independent contractors.)

Minimum Automobile Liability  
(Including owned, hired, and non-owned automobiles.)

Bodily injury, each person	\$250,000
Bodily injury, each occurrence	\$500,000
Property damage, each occurrence	\$300,000

Professional Liability	\$1,000,000
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for errors, omissions, and negligent acts, per claim and aggregate, Professional Liability (for professional services contracts) \$1,000,000.00 (For errors, omission, and negligent acts, per claim and Aggregate, with one-year discovery period and maximum deductible of \$25,000)